

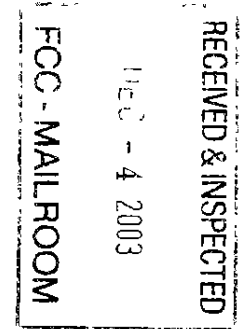


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Federal Communications Commission
Washington, D.C. 20554

December 3, 2003

Bruce Quinn
39 Court of Northridge
Brownsburg, Indiana 46112



Dear Mr. Quinn,

This letter refers to the petition for rule making you filed on July 23, 2003, requesting the allotment of Channel 229A to Bloomington, Indiana, as the community's first local FM commercial service

A staff engineering analysis reveals that your petition is unacceptable for consideration at this time. The proposal for Channel 229A at Bloomington is short-spaced to the licensed facilities of Station WQKC(FM), Channel 229B, Seymour, Indiana. Although, S.C.I. Broadcasting Inc., licensee of Station WQKC(FM), filed a petition for rulemaking to substitute Channel 230A for Channel 229B at Seymour, Indiana, and reallocation of Channel 230A to Sellersburg, Indiana, MB Docket No. 03-98. *See Seymour and Sellersburg, Indiana*, 18 FCC Rcd 11044 (MB 2003). There is no final disposition in this rulemaking proceeding since a *Report and Order* has not been issued. A rulemaking proposal must comply with the minimum distance separation requirements on the date it is filed. Section 73.208(a)(1) of the Commission's rules sets forth the reference points to be used in making this determination. In this instance, the license site of Station WQKC(FM) represents an authorized site that must be protected. As such, a rulemaking proposal must meet the minimum distance separation requirements for this authorized site. Further, your proposal is dependent upon the outcome of MB Docket No. 03-98. It is our policy to return any petition for rule making that is contingent upon another rulemaking proceeding, unless the decision in that proceeding is effective but not final. *See Auburn et al.*, 18 FCC Rcd 10333 (MB 2003).

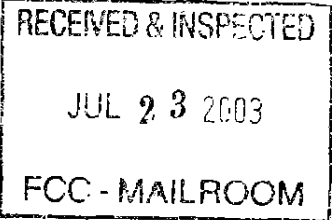
We are returning your petition for rulemaking for the reasons discussed above.

Sincerely,

John A. Karousos
Assistant Chief, Audio Division
Media Bureau

Enclosure

Before the
Federal Communications Commission
Washington, D C 20554



In the matter of
Amending the Table of Allocations
Bloomington, Indiana
93.7 Mhz.

Petition For Rulemaking

Bloomington, Indiana is one of the fastest growing communities in this state. It now has a population of 63,000 people, plus 35,000 students. It is the home of Indiana University. Remember Bobby Knight. Currently, Bloomington has two commercial allotments and this will be the third.

I, Bruce Quinn intend to apply for, build, own, and operate this radio station for Bloomington, Indiana on 93.7 MHz.

Respectfully Submitted

A handwritten signature in cursive script that reads "Bruce Quinn".

Bruce Quinn
39 Court Of Northridge
Brownsburg, IN 46112
phone 317-852-3624

7 18 03

Allocation Study

Bloomington, IN

Tower Site is at Ellettsville, IN north west of Bloomington to protect new Seymour station on first adjacent channel Coordinates are 39 14 02 North and 86 37 30 West

93.7 MHz

Call required	City	Freq	Class	Distance	FCC
WFCJ	Miamisburg, OH	93.7 MHz	B	204 km	178 km
WFRR	Walton, IN	93.7	A	170	115
WKHY	Lafayette, IN	93.5	A	132	72
WGRL	Fishers, IN	93.9	A	80	72
WPFR	Clinton, IN	93.9	A	81	72
WREB	Greencastle, IN	94.3	A	53	31
WQTY	Linton, IN	93.3	B1	69	48
WNOU	Indianapolis, IN	93.1	B	80	69
NEW	Seymour, IN	93.5	A	72	72

